



FISCAL MEMORANDUM

SB 2449 - HB 2665

March 30, 2022

SUMMARY OF BILL AS AMENDED (016472): Expands the entities that are exempt from being labeled as private businesses for the purposes of COVID-19 regulations. Requires a hospital to implement written policies and procedures regarding patients' rights to receive visitation, and information regarding any clinical restriction or limitation on rights, when COVID-19 is a health concern. States that the rights of allowing visitation may not be restricted, limited, or denied based on race, color, national origin, religion, sex, or disability. Requires that a hospital allow a patient to have at least one patient representative as a visitor during a period of when COVID-19 is a healthcare concern, so long as they agree to safety protocols that are no more restrictive than those applicable to hospital staff. Excludes areas of the hospital that necessitate higher levels of safety protocols from being required to allow at least one patient representative.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- The proposed legislation expands the entities that are not to be defined as private businesses in relation to COVID-19 to include an entity other than a school that operates a residential congregate living facility, including, but not limited to, a home that provides care for adults with disabilities or traumatic brain injury, a home that provides residential mental health treatment, or an alcohol or drug treatment facility.
- The proposed expansion of the exemptions will not significantly impact state or local government operations.
- Tennessee Code Annotated § 68-11-276 currently states that at least one family member is required to be allowed in a hospital with a patient during a period in which a disaster, emergency, or public health emergency for COVID-19 has been declared, as long as the family member tests negative for COVID-19 and is not exhibiting symptoms of COVID-19 or another virus or communicable disease.
- The proposed legislation expands this to include a patient representative, which is defined as a family member or another individual that supports the patient in decision-making, accessing medical, social, or other information for or from the hospital, managing financial matters, or receiving notifications.

- In addition, the proposed legislation removes the requirement of a negative test and lack of symptoms and replaces it with the requirement that the family member or patient representative agrees to follow all safety protocols established by the hospital.
- Ensuring critical COVID-19 patients are allowed one visitor and ensuring the visitor follows proper protocols can be accomplished within existing resources and staff within a hospital.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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